

Walter O'Cheskey  
 Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 WICHITA FALLS DIVISION

IN RE:

NANCY JEAN ROBINETTE

CASE NO: 12-70424-HDH-13  
 HEARING DATE: 9/18/2013  
 HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
008 0 U	ASSET ACCEPTANCE LLC	\$984.00	013 0 U	FORTIS CAPITAL IV LLC	\$4,053.93
021 0 U	GEMB/OLD NAVY	\$12.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b>SECURED CREDITORS</b>							
012 0	CITY OF WF, WFISD, WICHITA CO	PROPERTY TAXES	\$0.00	\$3,109.54			PD DIRECT BY DEBTOR
016 0	SANTANDER CONSUMER USA	2006 FORD 500	\$9,263.05	\$9,492.00	6.00%	60	\$185.92 PAID BY TRUSTE
017 0 *	WELLS FARGO	MORTGAGE ARREARS THRU 11-2012	\$8,106.06	\$131,501.00	5.50%	60	\$165.77 PAID BY TRUSTE
020 0	WELLS FARGO	DIRECT PMTS BEGIN 12-2012	\$105,346.15	\$131,501.00			PD DIRECT BY DEBTOR
<b>PRIORITY CREDITORS</b>							
003 0	INTERNAL REVENUE SERVICE	2010-2011 INCOME TAXES		\$9,860.84		60	\$160.56 PAID BY TRUSTE

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
010 0 U	CALVARY PORTFOLIO SERVICES <i>PURCHASES/GE CAPITAL RETAIL</i>	\$2,374.73	011 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/CAPITAL ONE</i>	\$937.07
014 0 U	PRA RECEIVABLES MANAGEMENT <i>PURCHASES/GEMB WALMART</i>	\$763.82	022 0 U	INTERNAL REVENUE SERVICE <i>2006-2008 INCOME TAXES</i>	\$15,231.61
023 0 U *	INTERNAL REVENUE SERVICE <i>PENALTY</i> <i>Not provided for in confirmed plan.</i>	\$5,291.98			

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof

Case 12-70424-hdh13 Doc 23 Filed 08/02/13 Entered 08/02/13 10:47:07 Page 2 of 4  
of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Beginning 12/5/2012 debtor shall make 10 payments of \$1,161.00. Beginning 10/5/2013 debtor shall make 50 payments of \$924.00; for a total plan contribution of \$57,810.00. Plan pays 100% to general unsecured creditors who timely filed claims.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 9/18/2013 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 8/2/2013

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

ASSET ACCEPTANCE LLC PO BOX 1630 WARREN MI 48090  
BRICE VANDER LINDEN & WERNICK PC 9441 LBJ FREEWAY STE 350 DALLAS TX 75243  
CALVARY PORTFOLIO SERVICES ATTENTION: BANKRUPTCY DEPARTMENT 500 SUMMIT LAKE DR STE 400 VALHALLA NY 10595  
CAPITAL ONE NA CAPITAL ONE BANK -USA NA PO BOX 30285 SALT LAKE CITY UT 84130  
CITY OF WF, WFISD, WICHITA CO C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
FORTIS CAPITAL IV LLC C/O CURTIS O BARNES PO BOX 1390 ANAHEIM CA 92815  
GEMB/OLD NAVY ATTENTION: GEMB PO BOX 103104 ROWSELL GA 30076  
GEMB/WALMART DC WALMART/GEMB PO BOX 103104 ROSWELL GA 30076  
HSBC/BENEFICIAL HFC ATTN: BANKRUPTCY DEPARTMENT PO BOX 5263 CAROL STREAM IL 60197  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
NANCY JEAN ROBINETTE 1 RAIN LILY COURT WICHITA FALLS TX 76310  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
SANTANDER CONSUMER USA DBA CITIFINANCIAL AUTO CORPORATION PO BOX 560284 DALLAS TX 75356  
SANTANDER CONSUMER USA DBA CITIFINANCIAL AUTO CREDIT INC PO BOX 961245 FORT WORTH TX 76161  
SANTANDER CONSUMER USA PO BOX 961245 FT WORTH TX 76161  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO BANK ATTN BK DEPT MAC #D3347-014 3476 STATEVIEW BLVD FORT MILL SC 29715  
WELLS FARGO BANK NA PO BOX 829009 DALLAS TX 75382  
WELLS FARGO BANK NA/WELLS FARGO HOME MTG ATTN: BANKRUPTCY DEPT MAC X7801-014 3476 STATEVIEW BLVD FORT MILL SC 29715  
WELLS FARGO HOME MORTGAGE 8480 STAGECOACH CIR FREDERICK MD 21701  
WELLS FARGO ONE HOME CAMPUS / MAC # X2302-04C BK PMT PROCESSING DES MOINES IA 50328